

REISSUE DECLARATION AND POWER OF ATTORNEY

Original Supplemental Substitute PCT DESIGN

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verify believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: COMMUNICATION SYSTEM

of which is described and claimed in:

the attached specification, or
 the specification in application Serial No. _____, filed _____, and with amendments through (if applicable),
 the specification in International Application No. _____, filed _____, and as amended on _____ (if applicable), or
 Letters patent number 5,600,672 granted on February 4, 1997 and in the specification in reissue application 09/677,421 filed, October 5, 2000.

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code, §119 (and §172 if this application is for a Design) of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED
Japan	3-62798	March 27, 1991	Yes
Japan	3-95813	April 25, 1991	Yes
Japan	3-155650	May 29, 1991	Yes
Japan	3-182236	July 23, 1991	Yes
Japan	4-60739	March 17, 1992	Yes
Japan	5-132984	May 10, 1993	Yes
Japan	5-261612	September 24, 1993	Yes
Japan	5-349972	December 27, 1993	Yes
Japan	6-79668	March 24, 1994	Yes

I verify believe that the above original patent is partly inoperative by reason of claiming less than I had a right to claim.

A Statement of at least One Error

The original patent claims claim less than I had a right to claim. For example, the claims do not recite a modulator operable to assign each of a first data stream and a second data stream to a respective constellation in a vector space diagram to produce modulated signals wherein the number of signal points of the constellation for the first data stream is different from the number of signal points of the constellation for the second data stream; and a transmitter operable to transmit the modulated signals, wherein the first data stream has data for demodulation including the number of signal points of the constellation for the second data stream.

All errors being corrected in this reissue application, including any errors not covered by a prior declaration submitted in this reissue application, up to the time of filing of the present declaration arose without any deceptive intention on my part or on my behalf.

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	U.S. FILING DATE	STATUS: PATENTED, PENDING, ABANDONED
07/857,627	March 25, 1992	ABANDONED
09/244,037	February 4, 1999	PENDING

And I hereby appoint Michael R. Davis, Reg. No. 25,134; Warren M. Check, Jr., Reg. No. 33,367; Charles R. Watts, Reg. No. 33,142; Michael S. Hupper, Reg. No. 40,268; Jeffrey R. Filipik, Reg. No. 41,471, W. Douglas Hahn, Reg. No. 44,142, and David M. Ovedovitz, Reg. No. 45,336, who together constitute the firm of WENDEROTH, LIND & PONACK, L.L.P., jointly and severally, attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby authorize the U.S. attorneys named herein to accept and follow instructions from **AOYAMA & PARTNERS**, to take any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and myself. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by me.

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I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1st Inventor Mitsuaki Oshima Date Feb. 3, 2009
 Mitsuaki OSHIMA

2nd Inventor Seiji Sakashita Date Feb. 3, 2009
 Seiji SAKASHITA

The above application may be more particularly identified as follows:

U.S. Application Serial No. 09/677,421 Filing Date October 5, 2000

Applicant Reference Number 531940 Mal Atty Docket No. 2000 1388

Title of Invention COMMUNICATION SYSTEM